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Ad Hoc Committee for the Negotiation of a Convention against Corruption
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Item 3 of the provisional agenda*
Consideration of the draft United Nations Convention against Corruption, with particular emphasis on articles 1-39

Proposals and contributions received from Governments

Turkey: amendments to articles 6, 7, 29 and 32

Article 6: Public sector

New paragraph

1. The following new paragraph should be added at the end of the article:

"4. Each State Party shall take all measures necessary to ensure transparency in all public acts and actions. In this context, they shall establish institutional bodies to set public auditing standards, to make public auditing more acceptable as a profession, placing special emphasis on performance auditing, and to put into force legislation on ensuring free access to information."

Article 7: Code of conduct for public officials

New paragraph

2. The following new paragraph should be added at the end of the article:

"9. Each State Party shall adopt such legislative or other measures as may be necessary to ensure that all discretionary powers given to public officials are exercised in accordance with objective criteria, in order to prevent the misuse of such discretionary powers."

* A/AC.261/8.

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Article 29: Other criminal offences

New subparagraph of option 2

3. The following new subparagraph should be added after subparagraph (c) of option 2:

"(d) Each State Party shall consider adopting such legislative or other measures as may be necessary to establish as criminal offences all acts of discrimination in the public sector in favour of certain persons based on family ties (nepotism), personal friendship (cronyism) or political alignment (patronage)."

Article 32: Criminalization of corruption in the private sector

New paragraph of option 1

4. The following new paragraph should be added after paragraph 2 of option 1:

"3. Each State Party shall consider adopting legislative measures to ensure that high-level officials of a private sector institution are punished with the penalties foreseen for the crime of embezzlement by public officials under similar circumstances whenever the private sector institution concerned is conducting a financial activity or whenever the acts committed by such private sector officials affect public economic interests. The private sector institutions covered by this article should include, but should not necessarily be limited to, banks and private finance institutions operating in the areas of borrowing and utilization of money, assets or instrumentalities belonging to private persons."